



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,406	01/11/2002	Travis Parry	10007328-1	8921

7590

07/26/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GARCIA, GABRIEL I

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,406

Applicant(s)

PARRY, TRAVIS

Examiner

Gabriel I. Garcia

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/11/02</u> . | 6) <input type="checkbox"/> Other: ____. |

Part III DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

1. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Mastie et al. (6,498,656).

With regard to claim 1, Mastie et al. a method of selecting a printer from a plurality of printers to fulfill a print job of a user (see figs.1-3), the method comprising:
receiving a print request for the print job from the user (or client, e.g. fig. 1) at one of the printers 12a-12d); distributing the print request for the print job to at least another of the printers associated with the one of the printers (e.g. col. 3, lines 24-35);
determining if the at least another of the printers has a printing capability
to fulfill the print job, including comparing the print request for the print job
with the printing capability of the at least another of the printers (see fig. 3); and
submitting a print offer to the user from the at least another of the

Art Unit: 2624

printers if the at least another of the printers has the printing capability to fulfill the print job (e.g. col. 1, lines 44-54, col.3, lines 25-35, and col. 7, lines 18-36).

With regard to claim 2, Mastie et al. teaches linking the plurality of printers via a communication network (see fig. 4 and col. 4, lines 22-34), wherein distributing the print request for the print job includes distributing the print request for the print job to the at least another of the printers via the communication network (e.g. fig. 1 and fig. 2a).

With regard to claim 3, Mastie et al. further teaches distributing the print request for the print job to at least a further one of the printers associated with the at least another of the printers associated with the one of the printers (figs. 1-3 and cols. 4-9)..

With regard to claims 4-10, the limitations of claims 4-10 are covered by the limitations of claims 1-3 above.

With regard to claim 11, Mastie et al. further teaches presenting to the user a user interface including at least one input field representing at least one option for the print job, wherein receiving the print request for the print job includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (e.g. col. 1, lines 44-54, col.3, lines 25-35, and col. 7, lines 18-36).

With regard to claim 12, Mastie et al. further teaches receiving the print request for the print job includes specifying at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, an archive option, and a price for the print job (e.g. abstract).

With regard to claims 13-16, the limitations of claims 13-16 are covered by the limitations of claims 1,3,7 and 9 above.

With regard to claim 17, Mastie et al. teaches a system for selecting a printer from a plurality of printers to fulfill a print job of a user (e.g. figs. 1-3), the system comprising:
a first controller(8a) associated with a first printer (12a) of the plurality of printers (see fig. 1) and adapted to receive a print request for the print job from the user (e.g. client 4a) and distribute the print request for the print job to at least a second printer (12b) of the plurality of printers (e.g. col. 3, lines 25-35), the second printer being associated with the first printer (e.g. being connected to the network); and a second controller (8b) associated with the second printer (12b) of the plurality of printers and adapted to receive the print request for the print job from the first printer and compare the print request for the print job with a printing capability of the second printer to determine if the second printer has the printing capability to fulfill the print job, wherein the second controller is adapted to submit a print offer to the user if the second printer has the printing capability to fulfill the print job (see fig. 3).

With regard to claim 17, Mastie et al. teaches a communication network configured to link the plurality of printers, wherein the first controller associated with the first printer is adapted to distribute the print request for the print job to the second printer via the communication network (see figs. 1-3).

With regard to claims 18-19, Mastie et al. teaches the second controller (8b) associated with the second printer is adapted to further distribute the print request for the print job to at least a third printer (12d) of the plurality of printers, the third printer being

Art Unit: 2624

associated with the second printer, and further comprising:

a third controller (8c) associated with the third printer (12d) of the plurality of printers and adapted to receive the print request for the print job from the second printer and compare the print request for the print job with a printing capability of the third printer to determine if the third printer has the printing capability to fulfill the print job (see fig. 3).

With regard to claims 20-29, the limitations of claims 20-29 are covered by the limitations of claims 1-19 above.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fischer (6,762,852) teaches a print feature selection based on combined features of several printers.

King (6,529,286) teaches a dynamic printing interface for routing print jobs in a computer network.

Tan et al. (5,978,560) teaches a load balancing of distributed printing systems using enhanced printer attributes.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is (703) 872-9314.

Art Unit: 2624

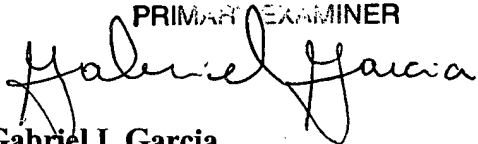
On July 15, 2005, the Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery".

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

GABRIEL GARCIA
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Gabriel Garcia", written over the printed name and title.

Gabriel I. Garcia
Primary Examiner
July 24, 2005